

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

ANITA ROBERTS,

Plaintiff,

v.

1:08-cv-90

KMART CORPORATION,

Defendant.

**TO: Lee J. Rohn, Esq.
Eugenio W.A. Geigel-Simounet, Esq.**

ORDER DENYING PLAINTIFF'S MOTIONS TO COMPEL

THIS MATTER came before the Court for consideration upon Plaintiff's Motion to Compel Defendant Kmart to Respond to Plaintiff's Second Demand For Production of Documents (Docket No. 26) and Motion to Compel Kmart Corporation to Respond to Discovery (Docket No. 28). Defendant filed an opposition in which it advised that Defendant had served its responses to the request for production of documents and filed notice thereof with the Court. This order is issued without necessity of any further response or reply.

Being advised in the premises and upon due consideration thereof, the Court finds the motions moot.

Accordingly, it is now hereby **ORDERED**:

1. Plaintiff's Motion to Compel Defendant Kmart to Respond to Plaintiff's Second Demand For Production of Documents (Docket No. 26) is **DENIED AS MOOT**.
2. Plaintiff's Motion to Compel Kmart Corporation to Respond to Discovery (Docket No. 28) is **DENIED AS MOOT**.

ENTER:

Dated: August 18, 2009

/s/ George W. Cannon, Jr.

GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE